

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1858 – HB 2342

March 12, 2018

**SUMMARY OF ORIGINAL BILL:** Requires the Commissioner of the Tennessee Department of Transportation (TDOT) to process an application for a billboard permit within 180 days, instead of using best efforts to process the application within such time period. Authorizes the Commissioner of TDOT to provide applicants with an application timeline for permit applications.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (014678):** Deletes all language after the enacting clause. Requires the Commissioner of TDOT to process an application for a billboard permit within 60 days, instead of using best efforts to process the application within such time period. Establishes, if the application is incomplete, the Commissioner is required to notify an applicant in writing no later than 15 days after receipt. Establishes, if a decision either to issue or deny the permit cannot be made within 60 days after the receipt of the completed application, the Commissioner is required to contact the applicant to provide an explanation of why additional time is needed to process the application.

Requires an application for an addendum to an existing permit requesting authorization to upgrade an existing outdoor advertising device to a changeable message sign with a digital display to be accompanied by payment of a fee of \$200.

Requires the Commissioner of TDOT to use best efforts to process vegetation application permits within 30 days after a completed application is received. Requires the Commissioner to notify the applicant, if an application is incomplete, in writing no longer than 15 days after receipt. Establishes, if a decision to approve or deny the application cannot be made within 30 days after the receipt of the completed application, the Commissioner is required to contact the applicant to provide an explanation of why additional time is needed to process the application.

Requires the applicant to complete the authorized vegetation control within the time period specified in the permit, and in any event, the applicant is required to complete the vegetation control within one year after the date on which the application was approved or the application approval and permit shall be void.

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## **FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

### **Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 54-21-104(b)(1), the Commissioner of TDOT is currently required to process an application for a billboard permit using best efforts to process the application within 180 days after receipt.
- It is assumed that any permit applications, which would be completed beyond the 180-day timeline under current law, can be completed within the 60-day timeline as proposed in this legislation, within the existing resources of TDOT.
- Based on the information provided by TDOT, the department currently requires an application for an addendum to an existing permit requesting authorization to upgrade an existing outdoor advertising device to a changeable message sign with a digital display to be accompanied by payment of a fee of \$200. Therefore, policies adopted under the proposed legislation as amended will essentially codify current practice.
- Any fiscal impact resulting from authorizing the Commissioner of TDOT to provide applicants with notices of incomplete application is estimated to be not significant.
- Any change in the number of billboard or vegetation permits issued is estimated to be not significant.
- Any fiscal impact to state or local government is estimated to be not significant.

## **IMPACT TO COMMERCE WITH PROPOSED AMENDMENT:**

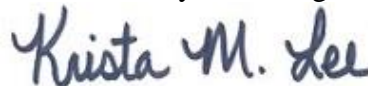
### **NOT SIGNIFICANT**

Assumption for the bill as amended:

- Requiring the Commissioner of TDOT to process an application for a billboard permit within 60 days and process an application for vegetation permits within 30 days will not have a significant impact on jobs or commerce in Tennessee.

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

/rbp